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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/994,990	11/09/2001	Christopher D. Immer	KSC-12139-1	9113

7590

03/26/2003

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EXAMINER

FERGUSON, MARISSA L

ART UNIT	PAPER NUMBER
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2854

DATE MAILED: 03/26/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/994,990

Applicant(s)

IMMER ET AL.

Examiner

Marissa L Ferguson

Art Unit

2855

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 December 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-1319 is/are rejected.
- 7) ☒ Claim(s) 14, 15 and 20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 4-5 and 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Knecht et al. (US Patent 4,578,735).

Regarding claim 1, Knecht et al. teaches a single support substrate (see elements 11 and 110), two capacitive absolute pressure measuring devices (see elements 24, 108, 122 and Column 9, Lines 37-41), and pressure connection parts (see elements 22, 103, 106, 111, and 120) extending from two pressure measuring devices (See figure 6) extending from two separated spaces and coupling each of the spaces and pressures to the capacitive measuring devices (See figure 6). Although, Knecht teaches two capacitive pressure measuring devices, he does not explicitly disclose that they are monolithically integrated on a single substrate. However, in figure 1 of embodiment one the capacitor plates 24 appear to be integrated on substrate 11.

Regarding figures 5 and 6, of a different embodiment, the capacitive devices (108, 122) are integrated on sensor cells 100 and 115, which are electrically connected to substrate 110 (Column 9, Lines 37-41). Therefore, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Knecht et al. to provide the necessary monolithically integrated connection for any desired

intended use, because such modification is well within the level of an ordinary skilled artisan.

Regarding claim 4, Knecht et al. teaches mutually separated chambers that are filled with a fluid substance (Abstract)

Regarding claim 5, Knecht et al. teaches two capacitive measuring devices that outputs two signals (provided through leads 125 and 126) including an evaluation circuit configuration (38) integrated on a semiconductor chip (Column 5, Lines 51-54) and wherein the circuit configuration is coupled to the capacitive measuring devices and receives and processes output signals (Column 5, Lines 59-63, Column 9, Lines 51-54, and Column 10, Lines 6-8).

Regarding claims 7 and 8, Knecht et al. teaches hose shaped pressure connection parts and connectors (103 and 120) that project above (depending on the axis) the pressure measuring devices.

Regarding claim 9, Knecht et al. teaches two vacuumed chambers (100 and 115 appear to be vacuumed).

Allowable Subject Matter

2. Claims 2,3 and 6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

3. Applicant's arguments with respect to claims 1-9 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marissa L Ferguson whose telephone number is (703) 305-3194. The examiner can normally be reached on (M-T) 6:30am-4:00pm and every other (F) 7:30am-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hezron Williams can be reached on (703) 305-4705. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

Marissa L Ferguson
Examiner
Art Unit 2855

March 22, 2003


HEZRON WILLIAMS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800